

## **REMARKS**

Claims 1-41 are pending in the present application, with claim 1, 35-37, 40 and 41 being the independent claims. Claims 1-3 and 37-39 have been amended. No new matter has been added.

In the Office Action dated March 16, 2007, claims 2, 3, 37, 38 and 39 stand rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. Claims 37-39 stand rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. Claims 1-3, 35 and 37-39 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent Application Publication No. 2001/0011995 issued to Hinckley et al. (hereinafter referred to as “Hinckley”) in view of U.S. Patent No. 5598522 issued to Inatomi (hereinafter referred to as “Inatomi”). Claims 4-20, 23-24 and 26-34 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Hinckley in view of Inatomi in further view of the 1999 publication “Microsoft Windows 98 Keyboard Guide” by Snyder. Claims 36, 40 and 41 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Hinckley in view of Inatomi in further view of the 1993 publication “LogitechMouse User’s Guide”. Claims 21 and 25 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Hinckley in view of Inatomi in further view of the 2001 publication “Quicktime 5 for Macintosh and Windows: Visual Quickstart Guide” by Stern et al.

The outstanding rejections to the claims are respectfully traversed.

### **Rejections under 35 U.S.C. §112**

In the Office Action, claims 2, 3, and 37-39 stand rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Office Action alleges that these claims recite various terms without sufficient antecedent basis. Applicants’ propose amendments as recited in the amended claims attached to the present response to address the insufficiency of antecedent basis as alleged in the Office Action. Applicants also propose amendments to claims 1 and 37 as recited in the amended claims attached to the present response to correct for grammatical errors.

Reconsideration and withdrawal of the rejections under 35 U.S.C. §112 is respectfully requested.

**Rejections under 35 U.S.C. §101**

In the Office Action, claims 37-39 stand rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. Specifically, these claims are allegedly directed to non-statutory subject matter because of the use of the phrase “a computer readable medium”. Applicants propose amending claims 37-39 to recite “a computer readable storage medium”.

Reconsideration and withdrawal of the rejections under 35 U.S.C. §101 is respectfully requested.

**Rejections under 35 U.S.C. §103**

In the Office Action, claims 1-3, 35 and 37-39 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Hinckley in view of Inatomi. Applicants respectfully traverse this rejection.

Independent claim 1 is directed to:

A method for combining the functionality of a set of at least two command calls into a single logical button, said method comprising:

prioritizing the set of command calls from highest priority to lowest priority;

**recognizing when a command call is rejected by an application and sending at least one lower priority command call.**

In order for a reference to anticipate or render the claim obvious, it must teach and/or suggest all of the recited elements as well as the arrangements of those elements. The cited references do not.

Inatomi is directed to a command processing system operating with a graphical user interface in a computer system wherein user-selectable objects may have multiple commands associated with them. The user selects the objects and the command associated with the objects through the graphical user interface using a mouse. The Office Action relies on

column 5, lines 16-51 of Inatomi to support the assertion that Inatomi teaches recognizing when a command is rejected by an application and sending at least one lower priority command call. Applicants respectfully disagree. The referenced section of Inatomi discloses displaying the highest priority command in an object's command area, and executing that command if the object is selected by the user with the mouse. If the user wishes to select another command, the user must open a menu on the menu bar and select the command. (Column 5, lines 26-31.) Alternatively, Inatomi's user can click a button to change the commands associated with the object one by one until the desired command is displayed in the object's command area, followed by making an additional click to execute the command. (Column 5, lines 39-46.) However, in contradistinction to the claimed method, Inatomi does not disclose or suggest **recognizing when a command is rejected by an application and sending at least one lower priority command call**. Rather, Inatomi *requires the user to select the command* associated with an object if the user desires a command other than the highest priority command.

As admitted at page 4 of the Office Action, Hinckley does not disclose recognizing when a command is rejected by an application and sending at least one lower priority command call. The remaining references also do not teach the recited claim language. Therefore, because the cited references fail to teach or even suggest all of the claimed elements, they cannot possibly anticipate or render obvious the combination of claim 1.

The Office Action rejects claim 36, 40 and 41 over Hinckley in view of Inatomi under the same rationale as the rejection of claim 1. Applicants respectfully traverse this rejection and assert that the arguments set forth herein with respect to the rejection of claim 1 also apply to the rejection of claims 36, 40 and 41.

Independent claim 35 is directed to:

A method for cascading commands, said method comprising:  
using a operating system shell hook to issue a command as an application command to an application;  
**if the application command is rejected, issuing a different command directly to the operating system.**

In order for a reference to anticipate or render the claim obvious, it must teach and/or suggest all of the recited elements as well as the arrangements of those elements. The cited references do not.

The Office Action refers to column 5, lines 16-51 of Inatomi in support of its rejection and applies the same rationale as used to support the rejection of claim 1. However, in contradistinction to the claimed method, Inatomi does not disclose or suggest **if an application command is rejected, issuing a different command directly to the operating system. Rather, Inatomi requires the user to select the command** associated with an object if the user desires a command other than the highest priority command.

As admitted at page 6 of the Office Action, Hinckley does not disclose if an application command is rejected, issuing a different command directly to the operating system. The remaining references also do not teach the recited claim language. Therefore, because the cited references fail to teach or even suggest all of the claimed elements, they cannot possibly anticipate or render obvious the combination of claim 35.

Independent claim 37, as amended, is directed to:

A computer-readable storage medium having computer-readable instructions for combining the functionality of a set of at least two command calls into a single logical button, said method comprising:

prioritizing the set of command calls from first to last;  
and

**using an operating system shell hook to make an application command call for the command calls, except the last, in priority order until a first command call is not rejected, and therefore accepted by the application, or until all but the last command call remains;**

if all but the last command call are rejected by the application in the previous element, then issuing the last command call as an operating system command.

In order for a reference to anticipate or render the claim obvious, it must teach and/or suggest all of the recited elements as well as the arrangements of those elements. Here again, the cited references do not.

The Office Action asserts that Inatomi teaches prioritizing commands in the manner claimed in claim 37. Applicants respectfully disagree. In the sections of Inatomi references in the Office Action, Inatomi discloses a user selecting a different command from a list when the highest priority command is not desired, using a mouse to manipulate the list within a graphical user interface. (Column 5, lines 26-31.) The list may be ordered according to a priority, such as frequency of use (column 4, lines 66-67, column 5, lines 1-3), but the user is selecting the commands from the list. Inatomi's priority is used merely to determine placement on a list from which a user selects commands. In contradistinction to the claimed method, Inatomi does not disclose or suggest **using an operating system shell hook to make an application command call for the command calls, except the last, in priority order until a first command call is not rejected, and therefore accepted by the application, or until all but the last command call remains.**

As admitted on page 7 of the Office Action, Hinckley does not disclose prioritizing commands. The remaining references also do not teach the recited claim language. Therefore, because the cited references fail to teach or even suggest all of the claimed elements, they cannot possibly anticipate or render obvious the combination of claim 37.

The independent claims, and all claims depending therefrom, are patentable over the cited references for the reasons discussed above. Reconsideration and withdrawal of the prior art rejections of these claims is respectfully requested.

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**PATENT**

### **CONCLUSION**

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe that a discussion of the case would be beneficial, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

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